

COMMITTEE AMENDMENT FORM

DATE: 11/28/ 07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #07-O-1913 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING THREE (3) CONDITIONS, ONE A
SITE PLAN RECEIVED BY THE BUREAU OF PLANNING 09/14/07.

IT ALSO HAS ATTACHED NINETEEN (19) CONDITIONS FROM ZRB DATED
11/08/07.

AMENDMENT DONE BY COUNCIL STAFF 11/28/07

134 Lynhurst Drive, S.W.

Z-07-82

The following uses will be prohibited:

- (1) Business or commercial schools.
- (2) Child care centers, kindergartens and special schools.
- (3) Clubs and lodges.
- (4) Commercial greenhouses.
- (5) Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly, and similar uses, with primary activities conducted within fully enclosed buildings. Pool halls, billiard parlors, amusement arcades and game rooms are allowed only by special use permits.
- (6) Eating and drinking establishments, including those licensed for the on-premises consumption of malt beverages, wine and/or distilled spirits.
- (7) Hospitals.
- (8) Institutions of higher learning, including colleges and universities.
- (9) Laundry and dry cleaning, collection stations or plants
- (10) Parking structures and lots, other than park-for-hire facilities.
- (11) Professional or personal service establishments, but not hiring halls.
- (12) Repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and similar articles.
- (13) Retail establishments, including catering establishments, delicatessens and bakeries without wholesale operations.
- (14) Sales and leasing agencies for new passenger automobiles, bicycles, mopeds, and commercial vehicles not exceeding one ton in rated capacity, selling, servicing and repairing new vehicles and dealing in the disposal, servicing or repairing of used vehicles in connection therewith and all located on the same site.
- (15) Security storage centers.
- (16) Service stations and car washes.
- (17) Structures and uses requiring for operation of MARTA or a public utility but not including uses involving storage, train yards, warehousing, switching or maintenance shop as the primary purpose.
- (18) Tailoring, custom dressmaking, millinery and similar establishments.

City Council
Atlanta, Georgia

07-O-1913

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-07-82
Date Filed: 7-16-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **134 Lynhurst Drive, S.W.** be changed from the R-3 (Single family Residential) District to the C-1-C (Community Business-Conditional) District to wit:

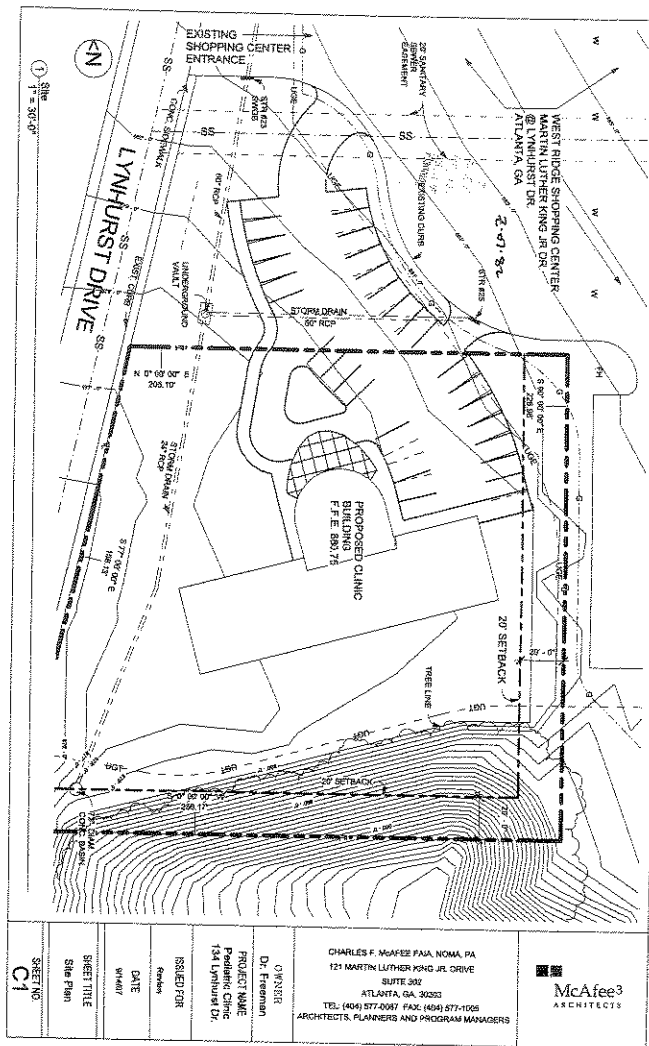
ALL THAT TRACT or parcel of land lying and being in Land Lot 237, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A circular stamp with a clock face border. The numbers 1 through 12 are arranged around the perimeter. In the center, the text reads: RECEIVED SEP 14 2007 Bureau of Planning. An arrow points to the 10 o'clock position.



134 Lynhurst Drive, S.W.
Z-07-82

Additional
conditions
imposed by
ZRB
11-8-07

The following uses will be prohibited:

- (1) Business or commercial schools.
- (2) Child care centers, kindergartens and special schools.
- (3) Clubs and lodges.
- (4) Commercial greenhouses.
- (5) Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly, and similar uses, with primary activities conducted within fully enclosed buildings. Pool halls, billiard parlors, amusement arcades and game rooms are allowed only by special use permits.
- (6) Eating and drinking establishments, including those licensed for the on-premises consumption of malt beverages, wine and/or distilled spirits.
- (7) Hospitals.
- (8) Institutions of higher learning, including colleges and universities.
- (9) Laundry and dry cleaning, collection stations or plants; limited to no more than 5,000 square feet floor area; laundry and dry cleaning establishments where equipment is operated by customers.
- (10) Parking structures and lots, other than park-for-hire facilities.
- (11) Professional or personal service establishments, but not hiring halls.
- (12) Repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and similar articles.
- (13) Retail establishments, including catering establishments, delicatessens and bakeries without wholesale operations.
- (14) Sales and leasing agencies for new passenger automobiles, bicycles, mopeds, and commercial vehicles not exceeding one ton in rated capacity, selling, servicing and repairing new vehicles and dealing in the disposal, servicing or repairing of used vehicles in connection therewith and all located on the same site.
- (15) Security storage centers not exceeding 7,500 square feet of floor area and having all pickup and delivery of items by passenger automobile or van.
- (16) Service stations and car washes.
- (17) Structures and uses requiring for operation of MARTA or a public utility but not including uses involving storage, train yards, warehousing, switching or maintenance shop as the primary purpose.
- (18) Tailoring, custom dressmaking, millinery and similar establishments limited to not more than 5,000 square feet in area.

(19) Multifamily and two family dwellings

RCS# 1454
9/17/07
3:07 PM

Atlanta City Council

SPECIAL SESSION

MULTIPLE

07-O-1913, 1914, 1915, 1916, 1917, 1918, 1919
07-O-1920, 1921, 1922, 1923, 1924
REFER ZRB/ZONE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 4

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
E Winslow	Y Muller	B Sheperd	NV Borders

MULTIPLE

City Council
Atlanta, Georgia

07-0-1913

AN ORDINANCE
BY: ZONING COMMITTEE

Z-07-82
Date Filed: 7-16-07

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SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **134 Lynhurst Drive, S.W** be changed from the R-3 (Single-family Residential) District to the C-1 (Community Business) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 237, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

TICOR TITLE INSURANCE COMPANY
A.L.T.A. COMMITMENT

RECEIVED
BUREAU OF
PLANNING
2-07-82

Commitment No.07-0312

Exhibit "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 237, 14TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A POINT LOCATED AT THE SOUTHERLY CORNER OF A MITER AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF LYNHURST DRIVE (A VARIABLE WIDTH RIGHT OF WAY) AND THE SOUTHERLY RIGHT OF WAY LINE OF MARTIN LUTHER KING, JR. DRIVE (AN APPARENT 80 FEET WIDE RIGHT OF WAY); THENCE, LEAVING SAID POINT OF COMMENCEMENT AND RUNNING WITH THE SAID LINE OF LYNHURST DRIVE SOUTH 12 DEGREES 47 MINUTES 14 SECONDS WEST A DISTANCE OF 44.12 FEET TO A POINT; THENCE RUNNING SOUTH 12 DEGREES 13 MINUTES 38 SECONDS WEST A DISTANCE OF 87.89 FEET TO A POINT; THENCE RUNNING SOUTH 13 DEGREES 24 MINUTES 10 SECONDS WEST A DISTANCE OF 170.27 FEET TO A POINT; THENCE RUNNING NORTH 89 DEGREES 08 MINUTES 44 SECONDS WEST A DISTANCE OF 5.00 FEET TO A POINT; THENCE RUNNING SOUTH 12 DEGREES 58 MINUTES 50 SECONDS WEST A DISTANCE OF 181.97 FEET TO ~~THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OR PARCEL OF LAND;~~ THENCE ~~RUNNING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST~~ A DISTANCE OF 205.09 FEET TO A POINT; THENCE RUNNING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 226.98 FEET TO A POINT; THENCE RUNNING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 47.81 FEET TO A POINT; THENCE RUNNING NORTH 88 DEGREES 56 MINUTES 51 SECONDS WEST A DISTANCE OF 208.89 FEET TO A POINT ON THE AFORESAID LINE OF LYNHURST DRIVE; THENCE RUNNING NORTH 13 DEGREES 01 MINUTES 43 SECONDS EAST A DISTANCE OF 154.50 FEET TO A POINT; THENCE RUNNING NORTH 12 DEGREES 58 MINUTES 50 SECONDS EAST A DISTANCE OF 74.53 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 52,099 SQUARE FEET OR 1.1960 ACRES OF LAND, MORE OR LESS.

EAST

THIS CONVEYANCE IS MADE SUBJECT TO ALL ZONING ORDINANCES, EASEMENTS AND RESTRICTIONS OF RECORD AFFECTING SAID BARGAINED PREMISES.

PARCEL ID: 14-0237-0002-039-2